

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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MICHAEL WEST,

Plaintiff,

v.

KEVIN P. MATTHEWS, et al.,

Defendants.

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Civil Action No. 17-1169 (CCC)

**MEMORANDUM AND ORDER**

Plaintiff Michael West, a prisoner currently confined at the Federal Correctional Institution in Fort Dix, New Jersey, seeks to bring this civil action *in forma pauperis* (“IFP”), without prepayment of fees or security, asserting claims pursuant to 42 U.S.C. § 1983. The Court previously denied his first IFP application, on the account that he failed to submit a proper six-month prison account statement as required by 28 U.S.C. § 1915(a). The Court expressly notified Plaintiff that he must submit an account statement “cover[ing] the period between August 11, 2016 and February 11, 2017.” (ECF No. 3 at 2.) Plaintiff then filed two more IFP applications, (ECF Nos. 4, 8), both of which the Court denied because Plaintiff did not submit the proper six-month account statement covering the aforementioned period. (See ECF Nos. 5, 10.) The Court also noted in its most recent Order that Plaintiff’s account statement was not certified. (ECF No. 10 at 1.) The Court permitted Plaintiff to amend his IFP application one last time, but warned that failure to perfect his application will result in the denial of his IFP request *with prejudice*. (*Id.* at 2.)

Presently before the Court is Plaintiff’s fourth IFP application. (ECF No. 11.) Plaintiff again fails to adhere to the Court’s direction. Specifically, Plaintiff has submitted with the instant IFP application an account statement dating from December 21, 2016 to September 25, 2017,

which does not cover the six-month period immediately preceding the Complaint (i.e., the period between August 11, 2016 and February 11, 2017), and the statement is not certified by an authorized prison official. Having already provided Plaintiff with three opportunities to file a proper IFP application, the Court hereby denies Plaintiff's fourth IFP application *with prejudice*.

IT IS therefore on this 25 day of May, 2018,

**ORDERED** that the Clerk shall **REOPEN** the case by making a new and separate docket entry reading "CIVIL CASE REOPENED"; it is further

**ORDERED** that Plaintiff's application to proceed IFP, (ECF No. 11), is hereby **DENIED WITH PREJUDICE**; it is further


**ORDERED** that the Clerk shall **ADMINISTRATIVELY TERMINATE** this case, without filing the Complaint or assessing a filing fee; it is further

**ORDERED** that if Plaintiff wishes to reopen this case, he shall so notify the Court, in writing, within thirty (30) days of the date of entry of this Order; Plaintiff's writing shall include the \$400 fee, including the \$350 filing fee plus the \$50 administrative fee; it is further

**ORDERED** that upon receipt of a written request from Plaintiff stating that he wishes to reopen this case, and payment of the filing and administrative fees within the time allotted by the Court, the Clerk will be directed to reopen this case; and it is further

**ORDERED** that the Clerk shall serve a copy of this Order upon Plaintiff by regular mail, and shall **CLOSE** the file.

**SO ORDERED.**

  
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Claire C. Cecchi, U.S.D.J.